

RE-RECORD TO CORRECT  
LEGAL DESCRIPTION

ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 09/08/08 09:20 AM  
DEPUTY Bonnie Oberbillig  
RECORDED-REQUEST OF  
Kuna City

AMOUNT .00

4



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SEP 10 2008

ORDINANCE NO. 2008-12A

TECHNICAL SUPPORT

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, LOCATED AT LINDER AND DEER FLAT, PARCEL NO. R8048220006, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, Mark & Bonnie Heinrich, 1762 N. Calaveras, Kuna, ID, owners of the parcel of real property situate in the unincorporated area of Ada County and particularly described in Section 2 of this ordinance has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on April 29, 2008, as required by Section 67-6525, Idaho Code, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of C-1; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on June 3, 2008 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be subject to a Development Agreement. A public hearing was held June 3, 2008 on the proposed Development Agreement, as required by Section 67-6525, Idaho Code and made findings and determined that the requested annexation should be granted with the zoning classification of C-1 (Light Commercial) and be subject to the Development Agreement; and

WHEREAS, the zoning classification of C-1 (Light Commercial) is appropriate to meet the requirements of the Kuna City Code and should be granted,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably assumed

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to be used for the orderly development of the City, and that the owners of said property have requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. R8048220006, Deer Flat and Linder Roads, and more particularly described in "Exhibit A"- Legal Description and "Exhibit B"- Site Map, attached hereto and incorporated herein by reference as if fully set forth below, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Kuna.

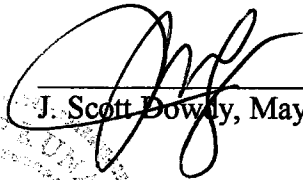
Section 4: The zoning land use classification of the land described in Section 2 above is hereby established as C-1, Light Commercial, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the C-1 zoning land use classifications.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

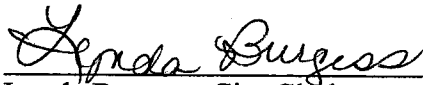
Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

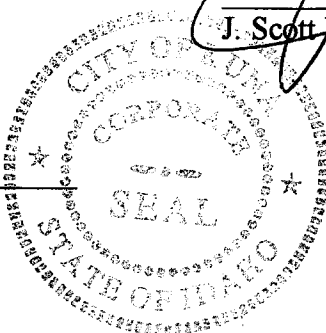
DATED this 2<sup>nd</sup> day of September, 2008.

CITY OF KUNA  
Ada County, Idaho

  
J. Scott Dowdy, Mayor

ATTEST:

  
Lynda Burgess, City Clerk



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**R8048220006**

**Annexation Description**

**August 2008**

A Portion of the Northwest quarter of the Northwest quarter of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho and being Lot 1 in Block 1 of South Linder Estates Subdivision, filed in Book 30 of Plats at Page 1832, records of Ada County, Idaho being more particularly described as follows:

Commencing at the northwest corner of said lot 1; said point lying 33.00 feet southerly and easterly of the northwest corner of said Section 24; said point being the ***Real Point of Beginning***;

Thence S 89°13'27" E, 197.39 feet to the eastern boundary of said parcel;

Thence S 00°19'14" E, 156.06 feet to the southerly boundary of said parcel;

Thence N 89°13'27" W, 197.39 feet to the western boundary of said parcel;

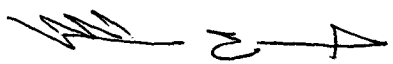
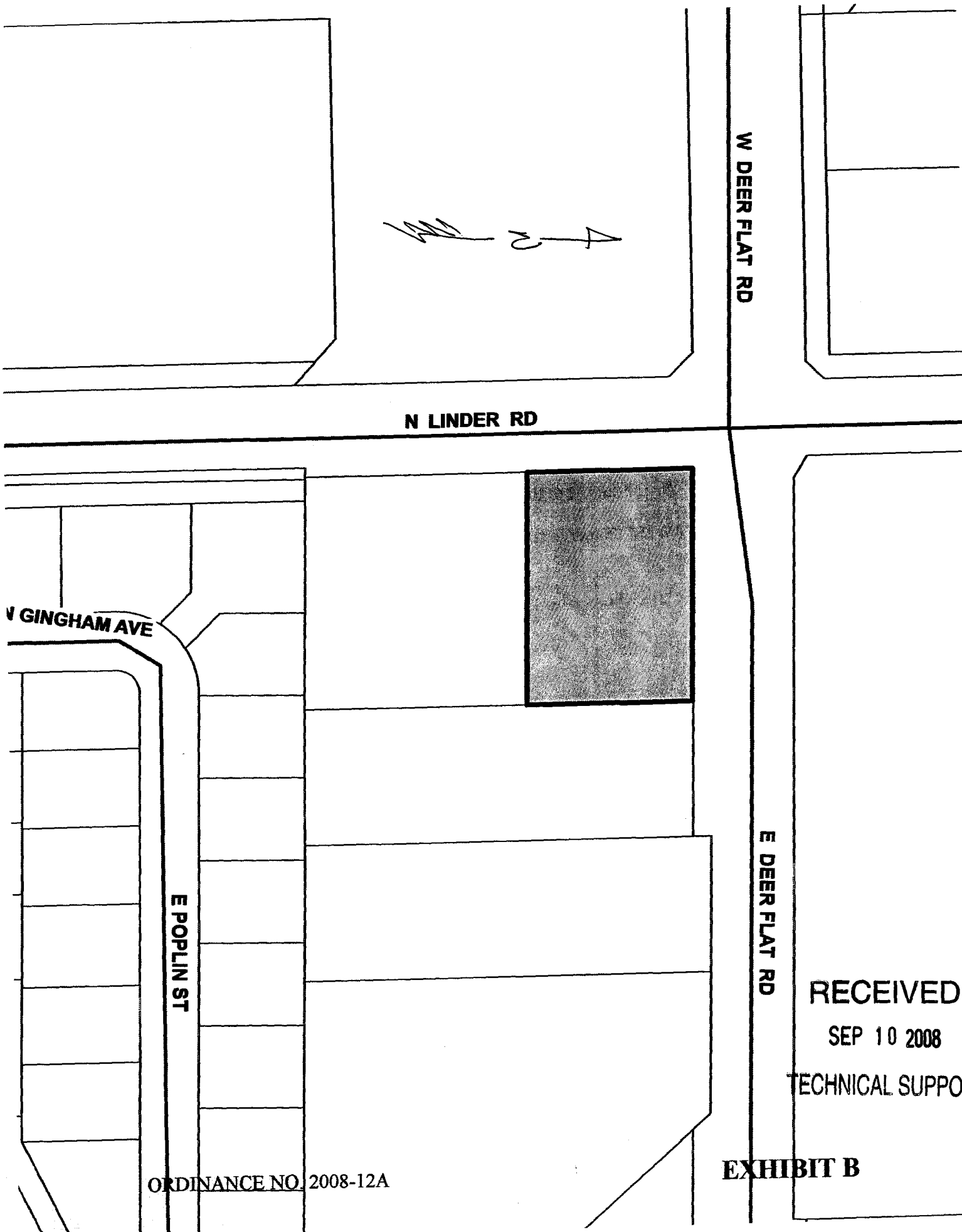
Thence N 00°19'14" W, 156.06 feet to the northerly boundary of said parcel which is also the ***Real Point of Beginning***.

Said Parcel contains 0.71 acres more or less.

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W DEER FLAT RD

N LINDER RD

V GINGHAM AVE

E POPLIN ST

E DEER FLAT RD

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EXHIBIT B